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## UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 0942.5690001/RWE/JKM First Inventor Jun E. LEE See 1 in Addendum Title Express Mail Label No.

Zip Code

Fax

Date

32,893

April 9, 2004

Mail Stop Patent Application APPLICATION ELEMENTS Commissioner for Patents ADDRESS TO: P.O. Box 1450 Alexandria VA 22313-1450 See MPEP chapter 600 concerning utility patent application contents. Fee Transmittal Form (e.g., PTO/SB/17) CD-ROM or CD-R in duplicate, large table or (Submit an original and a duplicate for fee processing) Computer Program (Appendix) Applicant claims small entity status. 8. Nucleotide and/or Amino Acid Sequence Submission See 37 CFR 1.27. (if applicable, all necessary) 3. X Specification [Total Pages\_ Computer Readable Form (CRF) (preferred arrangement set forth below) - Descriptive title of the invention Specification Sequence Listing on: Cross Reference to Related Applications - Statement Regarding Fed sponsored R & D CD-ROM or CD-R (2 copies); or - Reference to sequence listing, a table, or a computer program listing appendix Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) c. Statements verifying identity of above copies - Detailed Description ACCOMPANYING APPLICATION PARTS - Claim(s)
- Abstract of the Disclosure 9. Assignment Papers (cover sheet & document(s)) 4. X Drawing(s) (35 U.S.C. 113) [Total Sheets 37 CFR 3.73(b) Statement 10. 🔲 Power of (when there is an assignee) Attorney 5. Oath or Declaration [Total Sheets ] 11. 🗀 English Translation Document (if applicable) a. Newly executed (original or copy) Information Disclosure 12. \_\_ Copies of IDS Statement (IDS)/PTO-1449 Citations b. Copy from a prior application (37 CFR 1.63(d)) 13. 📖 Preliminary Amendment (for continuation/divisional with Box 18 completed) 14. X Return Receipt Postcard (MPEP 503) (Should be specifically itemized) **DELETION OF INVENTOR(S)** 15. 🔲 Certified Copy of Priority Document(s) Signed statement attached deleting inventor(s) (if foreign priority is claimed) name in the prior application, see 37 CFR 16. 🗀 Nonpublication Request under 35 U.S.C. 122 1.63(d)(2) and 1.33(b). (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent. 6. X Application Data Sheet. See 37 CFR 1.76 17. X Other: Authorization under 37CFR 1.136(a)(3) The name of the assignee is: Invitrogen Corporation 18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76: Continuation Divisional Continuation-in-part (CIP) of prior application No.: ..... Art Unit: To Be Assigned To Be Assigned Prior application information: Examiner To Be Assigned Art Unit: To Be Assigned
For CONTINUATION OF DIVISIONAL APPS only; The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts. 19. CORRESPONDENCE ADDRESS  $\mathbf{x}$ 26111 **Customer Number:** OR L Correspondence address below Name

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

State

Telephone

Registration No. (Attorney/Agent)

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

# Addendum re: Non-provisional of 60/461,189 (SKGF Ref. No. 0942.5690001/RWE/JKM)

1. Methods Of Synthesizing And Labeling Nucleic Acid Molecules



#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

LEE et al.

Appl. No.: To Be Assigned (Non-

provisional of 60/461,189; Filed: April 9,

2003)

Filed: Herewith

For: Methods of Synthesizing and **Labeling Nucleic Acid Molecules**  Confirmation No.: To Be Assigned

Art Unit: To Be Assigned

Examiner: To Be Assigned

Atty. Docket: 0942.5690001/RWE/JKM

## Authorization to Treat a Reply as Incorporating an Extension of Time Under 37 C.F.R. § 1.136(a)(3)

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

The U.S. Patent and Trademark Office is hereby authorized to treat any concurrent or future reply that requires a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. The U.S. Patent and Trademark Office is hereby authorized to charge all required extension of time fees to our Deposit Account No. 19-0036, if such fees are not otherwise provided for in such reply.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

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April 9, 2004

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Re:

U.S. Non-Provisional Utility Patent Application under 37 C.F.R. § 1.53(b)

(Non-provisional of Appl. No. 60/461,189; Filed April 9, 2003)

Appl. No.: To Be Assigned; Filed: Herewith

For:

Methods of Synthesizing and Labeling Nucleic Acid Molecules

Inventors:

LEE et al.

Our Ref:

0942.5690001/RWE/JKM

Sir:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office:

- 1. PTO Utility Patent Application Transmittal (Form PTO/SB/05);
- 2. Authorization to Treat a Reply As Incorporating An Extension of Time Under 37 C.F.R. § 1.136(a)(3);
- 3. U.S. Utility Patent Application entitled:

### Methods of Synthesizing and Labeling Nucleic Acid Molecules

and naming as inventors:

Jun E. LEE and Weidong ZHENG

the application consisting of:

- a. an Application Data Sheet (37 C.F.R. § 1.76);
- b. specification containing:
  - i. 75 pages of description prior to the claims;

Sterne, Kessler, Goldstein & Fox PLLC: 1100 New York Avenue, NW: Washington, DC 20005: 202.371.2600 f202.371.2540: www.skgf.com

Commissioner for Patents April 9, 2004 Page 2

- ii. 7 pages of claims (71 claims); and
- iii. a one (1) page abstract;
- c. 2 sheets of drawings: (Figures 1-2); and
- 4. Two (2) return postcards.

The name of the assignee is Invitrogen Corporation.

Correspondence should be sent to Customer Number 26111.

It is respectfully requested that, of the two attached postcards, one be stamped with the filing date of these documents and returned to our courier, and the other, prepaid postcard, be stamped with the filing date and unofficial application number and returned as soon as possible.

This patent application is being submitted under 37 C.F.R. § 1.53(b) without Declaration and without filing fee.

Respectfully submitted,

Robert Semond

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Robert W. Esmond

Attorney for Applicants Registration No. 32,893

RWE/JKM/nef Enclosures

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